

### **REMARKS**

This paper is responsive to the Office Action mailed April 23, 2007. Claims 1-27 are currently pending. By this Response, claims 18 and 27 are canceled. No new matter has been added.

At page 2 of the Office Action, the Examiner objects to the specification because of an update required to the "Brief Description of The Drawings." The Applicant has amended the specification as the Examiner suggests. That objection should be withdrawn.

At page 4 of the Office Action, the Examiner rejects claims 1, 2, 8-11, 17-20, 26 and 27 under 35 U.S.C. 102(b) as being anticipated by Zheng et al., "PA-RISC to IA-64 Transparent Execution, No Recompile," IEEE, March 2000 (Zheng). The Applicant traverses these rejections.

The Applicant amended claims 1, 10 and 19 extensively in the Response dated January 25, 2007. These amendments included specifying the interpreter as a "simple interpreter capable of interpreting only a sub-set of instructions from the instruction set of a subject processor." In the "Response to Arguments" section of the Office Action, the Examiner did not address why these amendments did not place the Application in condition for allowance. Accordingly, the Applicant respectfully requests the Examiner withdraw the finality of this Office Action and reconsider the application in light of the previously-submitted amendments and the following remarks.

Zheng does not teach or suggest a "simple interpreter that is capable of interpreting only a sub-set of instructions from the instruction set of a subject processor." The interpreter in Zheng is capable of interpreting all of the instructions from the instruction set of the subject processor.

The Applicant agrees with the Examiner that the Zheng interpreter handles just those instructions for which a translation does not exist, and for which the execution count is less than a threshold for translation. However, the interpreter in Zheng is capable of interpreting all instructions from the instruction set of the subject processor. On the first pass and any subsequent passes below the threshold for translation, the interpreter in Zheng is capable of, and indeed will, interpret the instructions. Zheng does not contemplate instructions which cannot be interpreted. In Zheng, the choice of whether to interpret or translate is limited, so that the

interpreter is always used on the first execution and on subsequent executions where the execution count is below the threshold for translation. It is clear that the interpreter of Zheng is capable of interpreting all of the instructions of the instruction set of the subject processor; this is what is meant by the description in Zheng of the interpreter as the "emulation safety net". The interpreter of Zheng as such does not comprise a "simple interpreter that is capable of interpreting only a sub-set of instructions from the instruction set of a subject processor".

The advantages of the simple interpreter were described in the published application US 2004-0221278 at page 20 onwards, and also in the January 25, 2007 Response to the first Office Action of August 25, 2006.

We request reconsideration of the claims in light of the foregoing remarks. The amendments previously submitted overcome the Examiner's rejections in view of a correct reading of Zheng and on proper interpretation of the functionality of the interpreter as specified by the independent claims.


To reduce the total number of claims to 25, the Applicant cancels claims 18 and 27 without prejudice.

Filed herewith is a Request for a Three-Month Extension of Time, which extends the statutory period for response to expire on October 23, 2007. Accordingly, Applicant respectfully submits that this response is being timely filed.

In view of the above amendment, applicant believes the pending application is in condition for allowance. Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 1801270.00135US1 from which the undersigned is authorized to draw.

Respectfully submitted,

Dated: October 19, 2007

  
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Application No. 10/732,764  
Amendment dated October 19, 2007  
After Final Office Action of April 23, 2007

Docket No.: 1801270.00135US1

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